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Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraph 34 of Security Council resolution 2098 (2013). It covers major developments in the Democratic Republic of the Congo since my report of 28 June 2013 (S/2013/388), including with regard to the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region; progress made by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in the implementation of its mandate; and the implications of MONUSCO operations against armed groups for the safety and security of United Nations personnel and facilities. It also provides an update on the reconfiguration of MONUSCO and the development of the road map for the transfer of activities to the United Nations country team.

II. Major developments

Political developments

2. On 7 September, President Joseph Kabila opened a national dialogue, stressing that it would help foster internal cohesion in order to overcome external aggression, reinforce State authority throughout the country, end the cycle of violence in the east and pave the way for lasting peace and development.

3. In accordance with the presidential decree of 26 June 2013, preparations had been made to establish the framework for such a dialogue among Congolese stakeholders. In reaction to the decree, opposition parliamentary groups issued a joint statement on 1 July denouncing the exclusion of key stakeholders in the preparatory phase. Their concerns were reiterated in a communiqué issued on 11 July by another group of opposition parties, which proposed alternatives to the announced framework and called for a regional mediation and the involvement of members of the international community. On 4 July, the Minister for Communications and government spokesperson, Lambert Mende, rejected the calls of the opposition for an international mediation of the dialogue, while on 20 July a large segment of civil society confirmed its participation

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4. On 7 August, President Denis Sassou Nguesso of the Congo was approached by the presidium of the national dialogue, chaired by National Assembly Speaker Aubin Minaku and Senate President Léon Kengo Wa Dondo, and agreed in principle to facilitate the process. On 10 August, in response to calls for a more inclusive process, a mixed "contact group" was created by the presidium to develop the internal rules of procedure and agenda of the dialogue. While two of the opposition parliamentary groups, the Libéraux (affiliated with Senate President Kengo Wa Dondo) and the Mouvement de libération du Congo, joined in these preparations and committed themselves to participating in the national dialogue, the two largest parliamentary opposition groups, the Union pour la démocratie et le progrès social and its allies and the Union pour la nation congolaise, refused to participate.

5. On 25 July, the Government of the Democratic Republic of the Congo issued international warrants of arrest and extradition requests to the Government of Rwanda for four leaders of the Mouvement du 23 mars (M23), wanted on charges of having established an insurrectional movement and of having committed war crimes and crimes against humanity. The individuals in question, who had sought refuge in Rwanda on 16 March, are Baudouin Ngaruye, Eric Badege, Innocent Zimurinda and Jean-Marie Runiga.

Progress on the implementation of national commitments under the Peace, Security and Cooperation Framework Agreement for the Democratic Republic of the Congo and the Region

Security sector reform

6. Efforts to enhance the capacity of the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo-FARDC), including through the establishment of a rapid reaction force, continued. During the period under review, the rehabilitation of the tactical training centre for the training of three infantry battalions for the rapid reaction force was completed and Congolese armed forces instructors were selected.

7. On 8 July, President Kabila signed a decree on the promotion and retirement of over 100 officers of the Congolese armed forces, indicating progress in the development of a Government policy for military personnel in support of army reform.

Consolidation of State authority

8. Efforts continued to be made to restore and consolidate Government authority in eastern Democratic Republic of the Congo with MONUSCO support. The feasibility study for the rehabilitation of the Hombo-Masisi road through Walikale, in North Kivu, was completed by the national road agency and MONUSCO on 19 July. In South Kivu, the Government and international partners continued to work on a joint initiative, launched in June 2013, to assess and improve the quality of basic services provided to the population.

Decentralization

9. As part of a three-month national sensitization campaign on the decentralization process, a first meeting was held in Matadi on 31 July and

1 August. Additional meetings, focusing on the management of decentralized territorial entities, were held in all provincial capitals.

Structural reforms of government institutions, including financial reforms

10. Efforts to reform the financial regulatory authorities continued. In September, the Ministry of Finance started to revise the draft decree on financial administration reform, as recommended by the Prime Minister, Augustin Matata Ponyo. The draft decree provides for important changes to the internal structure of the Ministry, including the creation of a new directorate-general of the treasury and an audit department.

Reconciliation, tolerance and democratization

11. There was progress in reviving the electoral process. On 10 July, the first meeting of the Election Partnership Committee since April 2012 was held in Kinshasa. During the meeting, the President of the Independent National Electoral Commission, Abbot Apollinaire Malu Malu, reaffirmed that institution's commitment to hold local elections in 2014. On 23 July, President Kabila presided over a meeting confirming the intent of the Government to organize provincial and local elections as soon as possible.

12. On 31 July, I received a letter from the Government requesting the continuation of electoral technical assistance by the United Nations for the upcoming provincial and local elections, as well as the general elections. On 25 September, I dispatched an electoral needs assessment mission to evaluate the situation and develop recommendations in that regard.

Situation in eastern Democratic Republic of the Congo

13. The situation in North Kivu further deteriorated after M23 first launched an attack, on 14 July, against the Congolese armed forces. The Congolese army repelled the offensive and gained ground towards Kibumba, 30 km north of Goma. On 16 July, the Ministry for Foreign Affairs of Rwanda addressed a letter to MONUSCO protesting the deliberate bombing of its territory on 15 July from the Democratic Republic of the Congo. On 17 July, MONUSCO issued a press release clarifying that it did not fire any weapon on 15 July and encouraging the Government of Rwanda to work through the Expanded Joint Verification Mechanism to ascertain the facts of the incident.

14. After a lull of several weeks, on 21 August M23 again attacked the Congolese armed forces and on 22 August it shelled Goma and MONUSCO positions in Munigi Heights, violating the security zone established by the Mission on 30 July in the Goma-Sake area. M23 indiscriminately shelled populated areas in and around Goma, including near camps for internally displaced persons and the airport. After M23 started shelling Goma, on 24 August protestors accusing MONUSCO of inaction attacked MONUSCO facilities near Goma airport with stones and Molotov cocktails.

15. As a result of M23 shelling areas around Goma populated by civilians and MONUSCO positions, from 22 to 28 August a total of 8 civilians were killed and at least 40 injured. In addition, 1 peacekeeper from the Tanzanian contingent was

killed and 14 peacekeepers from the South African and Tanzanian contingents were wounded at their position in the Munigi area; one of the Tanzanian peacekeepers subsequently died of his injuries. On 28 August, after targeting M23 positions with artillery fire and strikes by attack helicopters, the Congolese armed forces launched an assault on Kibati Heights, which was controlled by M23, forcing the armed group to withdraw from where it was attacking Goma, its airport and the camps for internally displaced persons. MONUSCO provided tactical support to the Congolese armed forces, using its own artillery, mortars and ground troops from the Intervention Brigade and the brigade in North Kivu, as well as attack helicopters. On 30 August, M23 retreated to Kibumba.

16. Between 22 and 29 August, in at least three instances, artillery shells hit populated areas in Rwandan territory near the border with the Democratic Republic of the Congo, killing 3 civilians and wounding 34 others. In response to a statement of the spokesperson for the Rwandan Defence Force accusing the Congolese armed forces of having used its artillery to deliberately shell Rwandan territory, Mr. Mende alleged, during a press conference on 23 August, that, in the context of renewed attacks by M23 elements on the Congolese armed forces, artillery shells hitting residential areas of Goma and outlying areas in Munigi on 22 August had been fired from Rwandan territory. On the same day, in Goma, MONUSCO engaged with the Expanded Joint Verification Mechanism, which could not immediately confirm that mortar rounds were landing in or near the Rwandan border town of Gisenyi. From Munigi Heights, MONUSCO witnessed M23, from its position in Kibati, near the border, firing mortars, rockets and artillery on Rwandan territory on 22, 24, 28 and 29 August. The Minister for Foreign Affairs of Rwanda, Louise Mushikiwabo, issued a statement on 28 August accusing the Congolese armed forces of firing at least 34 rounds into Rwanda in the month of August, characterizing those events as a "provocation" and insisting that Rwanda would not hesitate to take action to defend itself. In an attempt to prevent a further escalation of the situation, my Special Representative for the Democratic Republic of the Congo and the MONUSCO Force Commander travelled on 29 August to Kigali to meet the Rwandan authorities. The concerted diplomatic efforts of my Special Envoy Mary Robinson, the Special Representative of the African Union Commission Boubacar Gaoussou Diarra, the Special Representative of the United States of America Russ Feingold and the Senior Coordinator of the European Union Koen Vervaeke also helped to defuse tensions in the region.

17. On 8 July, I received a letter from the Government of Rwanda alleging collusion between the Congolese armed forces and the Forces démocratiques pour la libération du Rwanda (FDLR), as well as collaboration between the MONUSCO Intervention Brigade and FDLR. On 16 July, I requested that the Government of Rwanda provide concrete evidence to substantiate its claims. On 17 July, I received a letter from the Government of the Democratic Republic of the Congo refuting the allegations made by Rwanda. On 20 August, Rwanda provided additional information regarding the claims, which were not confirmed by MONUSCO but transmitted to the Expanded Joint Verification Mechanism for further investigation.

18. During the reporting period, other armed groups, notably the Mouvement populaire d'autodéfense, the Mayi-Mayi Nyatura and the Forces de défense des intérêts du peuple congolais, attacked M23 in different locations in Nyiragongo and Rutshuru territories. On 6 July, over 30 armed Mayi-Mayi elements in civilian clothes attacked M23 elements in Kanyaruchinya and reportedly also fired at the

local population, killing one person. In response to the imminent threat posed to the civilian population, MONUSCO engaged the Mayi-Mayi elements, killing one, injuring two and arresting another.

19. During the reporting period, the Nduma défense du Congo (NDC), also known as Mayi-Mayi Cheka, attacked positions of the Congolese armed forces in North Kivu. On 7 July, NDC elements, led by Cheka himself, attacked the Congolese armed forces in Luvungi, Walikale territory, reportedly killing two soldiers and displacing over 500 civilians. Mayi-Mayi Cheka and a coalition of the Alliance des patriotes pour un Congo libre et souverain, FDLR and Mayi-Mayi Nyatura clashed on a number of occasions, further displacing civilians in Walikale territory.

20. In the Grand Nord area, the Allied Democratic Forces (ADF) and local Mayi-Mayi groups continued to pose a threat, attacking prisons and positions of the Congolese armed forces. On 1 July, a group of about 80 Mayi-Mayi elements attacked, reportedly with the support of ADF, the prison in the town of Beni, freeing 244 inmates, including 74 convicted soldiers, whom the Mayi-Mayi reportedly attempted to recruit. On 10 July, ADF attacked the Congolese armed forces at Kamango, 80 km east of Beni. The fighting reportedly led to the displacement of some 66,000 civilians from Kamango and surrounding areas. On 14 July, while travelling from Beni to Kamango in North Kivu, a MONUSCO patrol was ambushed by ADF elements; two United Nations vehicles were damaged. On 15 July, ADF fired near Kamango on United Nations helicopters, slightly damaging two. On 20 July, ADF killed 5 Congolese soldiers and injured 15 others in an attempt to regain control of Kamango. With MONUSCO support through the deployment of attack helicopters, the Congolese armed forces held Kamango. However, most of the surrounding areas remained unsafe for returnees.

21. The security situation in South Kivu deteriorated during the period under review. Amid a stalled integration process, armed groups, including Mayi-Mayi Yakutumba, Mayi-Mayi Bede, the Forces populaires pour la démocratie du Congo and the Union des forces révolutionnaires du Congo-Raia Mukombozi intensified lootings, forced recruitment, unlawful deprivation of liberty and the collection of illegal taxes.

22. On 13 August, following clashes between the Congolese armed forces and Mayi-Mayi Yakutumba on 8 and 9 August near Katanga village, 18 km south of Baraka, Mayi-Mayi Yakutumba elements attacked positions of the Congolese armed forces near the town of Baraka, in Fizi territory. Their objective was reportedly to free several of their captured fighters and regain a tactical advantage. According to the Congolese armed forces, 13 Mayi-Mayi elements were killed and 11 others were wounded. On 15 August, in Uvira territory, near Mutarule, an area plagued by inter-ethnic violence, eight civilians, including four children from the Bafuliru community, were killed in their homes at night by unknown assailants. A territorial commission of inquiry was established to investigate the incident.

23. During the reporting period, FDLR increased its presence in areas vacated by Mayi-Mayi Yakutumba in South Kivu. From mid-July onward, reports indicated that FDLR elements were moving towards Mwenga territory. There were also ongoing reports that elements of the Forces nationales pour la libération du Burundi were filtering in through various crossing points in Uvira territory.

24. In Maniema, various Mayi-Mayi groups, including Mayi-Mayi Raia Mutomboki, reinforced their presence around mineral-rich sites near Punia, Pangi, Kabambare, Kasese and Lubutu, leading to the displacement of at least 130,000 civilians. Populations along the Maniema-South Kivu border were the target of looting and other human rights abuses committed by the Congolese armed forces stationed in the village of Kilembwe, in South Kivu.

25. In Katanga, attacks on civilians by Mayi-Mayi groups and newly created self-defence militias continued. The number of internally displaced persons continued to rise: an estimated 44,000 persons were newly displaced in July in Pweto territory, in the wake of operations launched by the Congolese armed forces against Mayi-Mayi groups. In the Bendera area of northern Katanga, near the border with South Kivu, FDLR elements carried out attacks against civilians in villages and artisanal gold-mining sites, as well as against travellers on the Kalemie-Nyunzu road.

26. In Orientale Province, the security situation in areas affected by the Lord's Resistance Army (LRA) remained relatively calm and LRA attacks continued to decrease. Although LRA elements remained active north of Ango, Bas-Uélé, no significant incidents were reported. However, some residual LRA elements reportedly carried out isolated attacks in the Ngilima-Bangadi-Niangara area and along the Dungu-Faradje road in Haut-Uélé.

27. In southern Irumu and Aru territories, the situation remained fragile. On 13 July, near Lake Albert, 11 fishermen were abducted by the Forces de résistance patriotiques en Ituri (FRPI). In Aru district, the Armée de libération du peuple congolais (ALPC) continued to be a threat to civilians accused by the militia of collaborating with the Congolese armed forces. Both the Congolese armed forces and the Congolese national police were targeted by elements of ALPC in Ingbokolo, where a soldier was killed on 11 July. In southern Irumu, on 22 July, FRPI elements killed a soldier during a clash. On 23 August, the Congolese armed forces launched operations, with limited MONUSCO support, against FRPI elements around Aveba, 70 km south of Bunia. The fighting caused the displacement of 5,000 civilians who gathered for protection around the MONUSCO operating base in Aveba. By 27 August, FRPI elements had regrouped and recaptured Sekele, 8 km north of Aveba. In the following weeks, Congolese armed forces and FRPI clashed repeatedly near Soke, which resulted in the displacement of over 17,000 persons, who were joined by others fleeing operations by the Congolese armed forces against ADF near Beni.

Humanitarian situation

28. The total estimated number of internally displaced persons in the Democratic Republic of the Congo stood at 2.6 million as at 31 August. North Kivu, with over 1 million internally displaced persons, and South Kivu, with over 700,000, remained the most affected provinces, accounting for some 65 per cent of the total. In Maniema, the number of internally displaced persons exceeded 200,000 on 31 July, mainly owing to fighting spilling over from South Kivu. In Katanga, the number of internally displaced persons continued to increase since June 2012 as a result of the activity of armed groups; around 370,000 internally displaced persons were registered in that province as at 31 August.

29. Humanitarian needs among internally displaced persons continued to increase, notably for food, health, shelter and protection. Provision of water and sanitation facilities continued to be a priority, in particular as several outbreaks of cholera were reported, especially in South Kivu. The nutritional status of children remained a concern, especially for displaced children under the age of 5. Also, several schools continued to be used for shelter by internally displaced persons in Goma.

30. The humanitarian impact of the situation in eastern Democratic Republic of the Congo continued to be felt throughout the region, with new influxes of refugees heading to Burundi, Rwanda and Uganda. As at 31 August, approximately 440,000 Congolese refugees were being hosted in countries of the Great Lakes region and Central Africa. The Democratic Republic of the Congo was also host to nearly 180,000 refugees from other countries in the region, including the Central African Republic.

31. During a visit by its Executive Director to the Democratic Republic of the Congo, from 17 to 20 July, the World Food Programme announced that it would provide an additional $458 million to assist victims of conflict and vulnerable groups during the period from July 2013 to December 2015. The mid-year review of the humanitarian action plan for 2013, estimated at $892 million and funded at nearly 51 per cent as at 9 September, shifted some funding towards new internally displaced persons and refugees from the Central African Republic. The United Nations Children's Fund (UNICEF) and the World Health Organization received $4 million from the Central Emergency Response Fund for urgent immunization efforts against measles.

Economic developments

32. On 6 July, in his mid-term assessment of the performance of his government, Prime Minister Matata Ponyo announced that the growth rate was expected to reach 8 per cent and inflation to remain below 1 per cent in 2013. While production in the mining sector remained robust and continued to drive economic growth, a decline in the international market prices of minerals had reduced the impact of rising outputs. On 8 July, President Kabila inaugurated in Moanda, Bas-Congo, the country's first fibre-optic network, connected through an underwater system of cables.

Regional developments

33. Regional developments revolved essentially around efforts to implement the Peace, Security and Cooperation Framework, against the backdrop of the deterioration of the security environment in eastern Democratic Republic of the Congo and limited progress in the Kampala talks between the Government and M23. I have reported further on these developments in my report on the implementation of the Framework, in particular on the summit of the International Conference on the Great Lakes Region held on 5 September, which focused on the situation in eastern Democratic Republic of the Congo.

III. Implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Protection of civilians

34. In eastern Democratic Republic of the Congo, attacks against civilians continued to increase. The United Nations protection cluster recorded close to 5,000 incidents in North and South Kivu in July. In Katanga, threats from Mayi-Mayi groups remained significant, with the number of reported incidents reaching 120 as at 31 July. In Orientale Province, 455 incidents involving civilians were reported. These incidents included 13 attacks attributed to LRA, notably the abduction of 13 adults and 3 children. MONUSCO resorted increasingly to the use of its mobile reserve and quick reaction forces to enhance the protection of civilians in areas of concern. During the reporting period, eight joint protection teams were deployed to enhance protection measures for civilians in both Kivus and in Orientale Province. MONUSCO and national security forces received 401 protection alerts through community alert networks about possible threats to civilians. MONUSCO followed up on the alerts through the deployment of an investigative patrol or a quick reaction force. On 20 July, to counter imminent threats of violence to civilians on the Goma-Sake axis, MONUSCO established a security zone in and around Goma, announcing that all individuals who were not members of the national security forces would be disarmed.

Mission deployment and operations against armed groups

35. In line with mandated objectives, 92 per cent of MONUSCO forces continued to operate in eastern Democratic Republic of the Congo. Extensive MONUSCO patrolling activity (including joint patrols with the Congolese armed forces and the Congolese national police) continued throughout North and South Kivu, as well as in Orientale Province, Maniema and Katanga. MONUSCO supported a number of military operations to protect civilians, including joint operations with the Congolese armed forces in Ituri district, Orientale Province and Uvira territory (South Kivu), as well as the Congolese armed forces-led operation to dislodge M23 from Kibati Heights in North Kivu. MONUSCO closed seven team sites to allow for the creation of additional force reserves, which would help the Mission to deploy its forces with greater flexibility.

36. Some 45 MONUSCO staff officers were redeployed to support the rehabilitation of the tactical training centre at Kisangani and the establishment of an information analysis and operational cell in Kinshasa to manage, in the future, unarmed unmanned aerial surveillance systems.

37. With regard to the Intervention Brigade, a total of 2,153 elements from Malawi, South Africa and the United Republic of Tanzania had deployed by 31 August, against an authorized strength of 2,956. Around 750 soldiers from Malawi, as well as enablers such as additional attack helicopters and unarmed and unmanned aerial surveillance systems, have yet to deploy. The Intervention Brigade did, however, begin operating within the newly established security zone around

Goma on 31 July and supported operations by the Congolese armed forces against M23 from 21 to 30 August with ground troops, attack helicopters and artillery fire.

Monitoring the implementation of the arms embargo

38. While the procurement and deployment of unarmed and unmanned aerial surveillance systems are under way, the Mission has undertaken a review of existing procedures and mechanisms for monitoring the arms embargo. As a result, MONUSCO is developing new procedures to standardize and streamline the recording of arms, weapons and ammunition flows in the context of military operations and disarmament and demobilization activities. A training package is being developed for all Mission personnel involved in monitoring the arms embargo.

39. Efforts were made to monitor movements along the eastern border areas in North Kivu and South Kivu provinces. During the reporting period, MONUSCO received credible reports of external support to M23. As MONUSCO is now part of the Expanded Joint Verification Mechanism, such reports should, in the future, be verified with the Mechanism.

40. The Mission shared all information available on weapons seizures with the Group of Experts on the arms embargo against the Democratic Republic of the Congo. This included seizures by the Congolese armed forces of military hardware previously in the possession of M23.

Support to security sector reform and police reform

41. MONUSCO and other international partners continued to provide technical assistance and financial support for the ongoing training of new recruits of the Congolese armed forces, in compliance with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces. In addition, MONUSCO and other partners are providing support for the training of 25 Congolese army officers in programme and project development and implementation.

42. In the area of police reform, MONUSCO strengthened its strategy of co-locating Mission staff with the Congolese national police in Goma, in an effort to enhance the mentoring and reporting capacity of the Police.

43. During the reporting period, MONUSCO, in collaboration with the International Organization for Migration and the Congolese national police, organized two workshops in Kisangani with the aim of sensitizing 300 female police personnel on methods to fight sexual and gender-based violence and sexual exploitation and abuse. Also in Kisangani, four police commissariats of the special police for the protection of women and children were established and handed over, along with five vehicles, 20 motorbikes and logistics and computer equipment. Twenty-five senior staff of the Congolese national police, including five women, received training in information technology. In Katanga Province, MONUSCO police trained 43 trainers of the Congolese national police and instructors of the Kasapa Police Training Centre. Also, in Orientale Province, MONUSCO and the United Nations Development Programme (UNDP) launched the fifth long-term

training session on law enforcement and human security for 500 police staff in that province.

Human rights

44. The human rights situation continued to be marked by numerous reports of violations of human rights by the Government and violations of international humanitarian law by armed groups, as well as by elements of the national security forces.

45. From 2 to 10 July 2013, MONUSCO sent a joint investigation team composed of representatives of the judicial authorities and MONUSCO personnel on mission to Kamandi Gite, Lubero territory, North Kivu Province. The investigators were able to document 63 cases of rape, at least 4 cases of summary execution and other cases of ill-treatment or torture, forced labour, arbitrary arrest, illegal detention and destruction of property allegedly committed by soldiers and park rangers of the Congolese Wildlife Authority during the period from 22 December 2010 to 4 January 2011 in Ndwali locality. The human rights violations reportedly occurred in the context of forced evictions of the local population in an attempt by the authorities to recover lands reportedly belonging to the Virunga National Park.

46. On 15 July 2013, the military garrison tribunal in Haut-Katanga convicted four soldiers, one of whom had the rank of commander, for summarily executing, on 2 July 2013, 14 detainees who had been arrested on suspicion of being Mayi-Mayi fighters. Also during the reporting period, at least five Congolese national police officers, five elements of the Congolese armed forces and one administrative officer were convicted for practising or encouraging torture.

47. There were also reports of serious violations of international humanitarian law committed in the context of renewed violence in North Kivu Province in mid-July, when clashes erupted afresh between M23 and the Congolese armed forces in Mutaho. MONUSCO is also investigating over 40 cases of unlawful deprivation of liberty and abduction by M23 in Kiwanja and Kibumba, North Kivu Province, during the period from 22 to 24 July 2013. In addition, it was reported that on 22 July at least three civilians who had tried to escape from M23 after having been forcibly recruited were summarily executed in Kibumba.

Sexual violence

48. As at 15 September, MONUSCO recorded cases of sexual violence against at least 104 women and girls in conflict-affected provinces. Those cases were allegedly committed by armed groups and members of the national security forces. Armed groups, in particular Mayi-Mayi combatants operating mainly in North Kivu, were responsible for 59 cases. Soldiers were allegedly responsible for 39 cases, most of which had occurred in North and South Kivu provinces. Other State agents were responsible for the 6 remaining cases.

49. According to UNICEF, medical and psychosocial assistance was provided to 12,391 persons, including 6,522 children, during the reporting period within the framework of assistance to survivors of sexual violence.

Child protection and armed conflict

50. During the reporting period, MONUSCO, UNICEF and other child protection actors documented, through the monitoring and reporting mechanism, the cases of 31 children (5 girls and 26 boys) who had been recruited by armed groups; 11 of the children were under the age of 15. Most of the children had been used as porters, cooks and fighters. In addition, it was documented that 2,234 children (426 girls and 1,808 boys) had escaped or had been separated from armed forces and groups during that period. MONUSCO, UNICEF and other child protection actors also documented the cases of 47 children (20 girls and 27 boys) who were killed or maimed as a direct result of conflict-related violence during the reporting period.

51. As a result of increased advocacy efforts and collaboration with Government security forces, 30 children formerly associated with armed groups were released from detention facilities of the Congolese armed forces or other security services.

52. During the period under review, MONUSCO trained more than 49 Congolese national police officers, 1,182 members of the Congolese armed forces and 1,236 elements of the Intervention Brigade in child protection measures and children's rights.

Justice and correction institutions

53. MONUSCO and United Nations agencies continued to assist in the reform of the justice system, including by finalizing five projects for implementing the United Nations multi-year joint justice programme. These projects aim at strengthening the criminal justice system, supporting the creation of the three new high-level jurisdictions established by the 2006 Constitution and strengthening the High Council of Magistrates. On 25 July, in support of the Government's planning capacities, MONUSCO presented its mapping of the civil justice system to the Minister of Justice and Human Rights.

54. Support provided for the deployment of mobile courts resulted in 132 cases being heard and 50 judgements being rendered by civilians and military courts. Support was also provided for the conduct of 125 judicial inspections of detention cells, resulting in the regularization of 274 cases of irregular detention and 91 releases. MONUSCO continued to assist the military justice service in investigating and prosecuting serious crimes in eastern Democratic Republic of the Congo. With funding from the European Union, in July MONUSCO and UNDP launched a project to support the establishment of two new prosecution support cells in Katanga and Orientale provinces, which are in addition to the five cells that already exist.

55. MONUSCO intensified its support to strengthen prison capacities in eastern Democratic Republic of the Congo. A six-month training course for 100 military officers to be deployed to military prisons was completed in September. In addition, 14 newly recruited prison officers in Mbandaka Province and 48 prison directors in Orientale, Maniema, Kasai Oriental and Kasai Occidental provinces received basic training. Overall, security in prisons remained volatile, with external attacks being carried out in the prisons of Kasapa (Lubumbashi) and Beni by Mayi-Mayi armed elements.

Disarmament, demobilization and reintegration and disarmament, demobilization, repatriation, resettlement and reintegration

56. During the reporting period, fighters and dependants from Congolese and foreign armed groups participated in the MONUSCO disarmament, demobilization, repatriation, resettlement and reintegration programme. Among them were 200 Congolese members of armed groups, of which 63 were children associated with armed groups. Around 132 foreign armed group elements presented themselves to MONUSCO since 1 July, of whom 94 were fighters and 38 dependants. Of the 94 foreign fighters, 51 were from FDLR and 21 from M23. Of the remaining 22 foreign fighters, 21 stated that they were Rwandan nationals demobilized from either the Congolese armed forces or various Congolese armed groups and 1 was a Ugandan national demobilized from LRA.

57. MONUSCO and the United Nations country team continued to provide technical support to the Government of the Democratic Republic of the Congo in the design of a single and overarching disarmament, demobilization, repatriation, resettlement and reintegration programme for both Congolese and foreign fighters. With the support of MONUSCO and the country team, the unit implementing the national disarmament, demobilization and reintegration programme finalized the draft programme and submitted it for the Government's approval. The draft programme is budgeted at $85 million, which still needs to be mobilized.

58. As of mid-September, 2,234 children, including 426 girls, were released, provided with temporary care, reunified with their families and provided with reintegration support through the UNICEF-led child disarmament, demobilization and reintegration programme.

Mine action

59. MONUSCO recorded an increase in requests for the removal of unexploded ordnance from schools and transit camps for disarmed fighters. In July and August, 4,059 unexploded ordnance and 30,615 small arms ammunitions were safely removed in the provinces of North and South Kivu, Orientale, Maniema and Katanga. Emergency explosive ordnance disposal activities were conducted in the Kibati area after M23 retreated. In August, an emergency hotline number was launched to streamline requests for the clearance of unexploded ordnance and the provision of explosive management support from all MONUSCO sections.

Stabilization and peace consolidation progress

60. Despite increased armed group activities and related tensions in eastern Democratic Republic of the Congo, partners of the International Security and Stabilization Support Strategy continued to implement programmes. Progress was made, in particular, on road rehabilitation and increased quality of administrative services.

61. Based on the completed strategic review of the Strategy, a draft integrated programme framework was completed in mid-September. The programme framework, which will be the subject of consultations to be held in the coming

period among Government authorities, international partners and donors, includes a monitoring and evaluation framework and a comprehensive implementation strategy.

62. MONUSCO organized sensitization campaigns to reinforce collaboration between local authorities and the population targeting more than 3,800 civil servants, local authorities and committees of the stabilization and reconstruction plan for eastern Democratic Republic of the Congo in North Kivu, South Kivu and Orientale provinces.

63. MONUSCO also started working with the Government to implement the stabilization strategy in the wake of operations against armed groups by creating "islands of stability" to restore State authority and enable the establishment of conditions conducive to improved governance and long-term development.

Extraction of and trade in natural resources

64. On 24 July, the Government launched the regional certification mechanism for minerals of the International Conference on the Great Lakes Region. This certification scheme aims to guarantee that all exported minerals are "conflict-free", in other words that they come from mining sites where no armed groups or military forces are involved in mining or trading activities. Within this new framework, MONUSCO remained directly involved, together with the Ministry of Mines, in the validation of mining sites in eastern Democratic Republic of the Congo. These validation exercises took place in Kalimbi, Nkwiru and Manga, in Kalehe territory, South Kivu, in June 2013. An important validation exercise for mining sites covered by the Tin Supply Chain Initiative of the International Tin Research Institute took place in August in Katanga as part of the implementation of the regional certification mechanism.

65. Progress was made in the establishment of mineral trading centres in Masisi and Walikale territories. Under the auspices of the Minister of Mines and MONUSCO, a draft agreement has been finalized between the mine title holder and the cooperative of artisanal miners in Rubaya, in Masisi territory. Government authorities and partners have also been exploring ways to implement the traceability system in the Bisie mining area in Walikale territory, covered by the Ndjingila trading centre.

IV. Safety and security of United Nations personnel within the context of operations of the Intervention Brigade

66. With the deployment of the Intervention Brigade under way, MONUSCO undertook a security risk assessment and review of its existing security measures and procedures to identify risks faced by United Nations civilian and military personnel in the execution of their duties and responsibilities. The assessment concluded that a possible increase in direct and indirect attacks, ambushes, kidnappings and hijackings, as well as the presence of unexploded ordnance and mines, constituted the main security risks. M23 and other armed groups were the main sources of these risks, but the local population, particularly in the Kivus, was also increasingly responsible. In response, MONUSCO adopted new security

measures and procedures for regional offices, including measures to address situations of armed fighters seeking refuge or surrendering at United Nations facilities.

67. While the threats and the security risks confronting United Nations staff, premises and operations remained low in the western part of the country, the situation in the east was markedly different: a total of 26 security incidents were recorded during the period from 1 July to 9 September. Violent anti-MONUSCO protests, during which the Mission was accused of inaction in the face of the threat posed by M23, were held in Nyiragongo territory, on 16 July, and in Goma, on 18 July and on 2 and 24 August. During the protests, three MONUSCO staff members were injured and nine United Nations vehicles were damaged.

68. The renewed violence and indiscriminate firing by M23 in North Kivu in mid-August further increased the risks faced by United Nations personnel. On 24 August, three armoured personnel carriers and one MONUSCO ambulance were hit by bullets and shrapnel when M23 fired at MONUSCO positions. As reported in paragraph 16 above, M23 firing at MONUSCO positions from 22 to 28 August resulted in several casualties among MONUSCO peacekeepers. On 28 August, owing to M23 firing at the airport of Goma, MONUSCO cancelled its civilian flights to that city, relocated aircraft away from the airport and activated contingency plans.

V. Mission reconfiguration and road map for the transfer of responsibilities

Joint assessments

69. In July, joint assessments were conducted by MONUSCO and Government representatives to assess the security and humanitarian situation and progress in the extension of State authority in 30 territories and localities throughout Orientale, North Kivu, South Kivu and Katanga provinces. The teams that carried out the joint assessments took note of changes in the security and humanitarian situation throughout the provinces assessed (see section II of the present report, on major developments). The teams found that during the reporting period MONUSCO responded to the requirements for the overall implementation of its mandate, in particular to the priority task of protecting civilians.

Transfer of tasks

70. In accordance with paragraph 17 of resolution 2098 (2013), MONUSCO initiated the process of identifying tasks to be transferred to the United Nations country team (or, alternatively, to the Government). These are tasks in which the country team has a comparative advantage or that involve action in areas not affected by armed conflict.

71. While MONUSCO and the United Nations country team work very closely in a number of areas, the resources and capacities available to partners of the country team do not match those available to peacekeeping operations. Consequently, a transfer of tasks cannot be viewed as a one-to-one handover. Consensus was reached

on the transfer of certain activities from MONUSCO to the country team in the following areas: demining, technical election support, civil affairs, gender, child protection, justice and corrections, and sexual violence. This will allow the Mission to focus on its core mandated tasks (see paras. 12, 14 and 15 of Security Council resolution 2098 (2013)).

72. The preliminary road map for the transfer of tasks set out below and next steps are informing the Mission's results-based planning for the 2014-2015 budget, which includes an assessment of possible reductions in expenditure. An in-depth analysis of its priorities, planning assumptions and likely future resource requirements is under way, with the aim of increasing capacities for field offices in the Kivus, Ituri and northern Katanga. This planning process is also being shaped by the continued shift of resources to conflict-affected areas and by the need to support the implementation of national commitments under the Peace, Security and Cooperation Framework and the outcome of the national consultations.

Preliminary road map

73. On the basis of agency mandates and priorities agreed with the Government and contained in the United Nations Development Assistance Framework for the period from 2013 to 2017, a preliminary set of activities was jointly identified for transfer over the course of varying periods of time and subject to the availability of resources. This initial road map takes into consideration that the transfer of tasks to the country team will be undertaken gradually, with some tasks handed over in the short term (6-12 months), where capacities already exist and/or where the Mission can make adjustments within a budget cycle and country team partners have existing capacity. Other tasks will be transferred in the medium to long term (1-2 years), to allow country team members to mobilize additional resources and increase capacities if and where required, particularly since some costs may increase significantly if country team members can no longer depend on logistical support from MONUSCO. The initial road map will be finalized once a capacity and resource assessment has been completed.

In the short term

74. Given the dual reporting lines and the composition of the United Nations Joint Human Rights Office in MONUSCO, several technical cooperation activities are already being implemented by OHCHR. Specific activities relating to sexual violence, database profiling management and protection have already been transferred to OHCHR, although adequate funding through extrabudgetary contributions needs to be ensured.

75. All capacity-building tasks targeting provincial and local authorities and civil society, including in relation to local governance and gender issues, will be transferred to the United Nations country team. This will allow MONUSCO to focus its activities on reconciliation, confidence-building and conflict management and resolution, as well as on strengthening its effort to mainstream gender in the implementation of the Peace, Security and Cooperation Framework, security sector reform and the disarmament, demobilization and reintegration programmes.

76. UNICEF and MONUSCO will continue to co-lead the monitoring and reporting of grave violations against children in armed conflict, on engaging in

dialogue with perpetrators of such violations and developing action plans, and on advocating for the protection of children in armed conflict. UNICEF will lead in the implementation of prevention and response mechanisms. MONUSCO has reassigned Child Protection Advisers to areas affected by armed conflict and will continue to provide support to the Government for the implementation of the United Nations-Government action plan to prevent and stop child recruitment and other grave child rights violations by armed forces, jointly with UNICEF. In areas not affected by conflict, coordination activities in support of the action plan will be transferred to UNICEF.

77. In the area of corrections, MONUSCO will discontinue its work on juveniles in detention. UNICEF is already providing assistance in this area and could absorb additional responsibilities, subject to the availability of funding and capacity. The United Nations Office on Drugs and Crime (UNODC), the United Nations Office for Project Services and the International Organization for Migration would be able to assist with infrastructure and support to corrections facilities.

78. As requested by the Security Council in paragraph 18 of its resolution 2098 (2013), a number of tasks shall be transferred as soon as feasible to the United Nations country team. Those tasks, which include demining support, risk education in areas not affected by conflict, assistance to victims of mines and support to the Government on compliance with treaty obligations and on the implementation of the national strategic plan on mine action, will, over the short term, be transferred to the Mine Action Service, which is the United Nations body mandated to carry out such activities within the country team. It must be recognized, however, that this will require substantial extrabudgetary resources. The Mine Action Service is part of both MONUSCO and the country team, and its activities are divided into "Mission support" activities (funded by the assessed budget) and "humanitarian mine action" activities (funded through extrabudgetary means). In anticipation of operations by the Intervention Brigade, MONUSCO will continue, in the short term, to deploy its internal explosive ordnance disposal and ammunition management capacities through the United Nations Mine Action Coordination Centre, under the management of the Mine Action Service, in order to deliver, in accordance with international standards, rapid explosive ordnance disposal responses and ammunition management operations in support of disarmament, demobilization and reintegration efforts and other Mission activities.

79. In line with the request of the Security Council, MONUSCO commenced planning for the phasing out of its electoral technical assistance, training and capacity-building to the Independent National Electoral Commission, while continuing to support my Special Representative's good offices to encourage the organization of credible and transparent provincial and local elections. The recommendations arising from the electoral needs assessment mission mentioned in paragraph 12 above will inform the way forward on MONUSCO assistance to the electoral process.

In the medium to long term

80. In the medium to long term, a number of tasks currently linked to MONUSCO under the Joint Justice Programme will be transferred to United Nations partners to allow the Mission to shift its regional focus to the east. Tasks related to the training of justice officials and the provision of technical advice and other assistance to the

civil and military justice systems, including for the organization of mobile court hearings, archiving and case management, will be transferred to UNDP, OHCHR and UNODC in non-conflict areas. However, key tasks, including capacity-building functions related to stabilization efforts in conflict-affected areas and related strategic support in Kinshasa cannot be transferred at this stage.

Next steps

81. Following the transfer of coordination responsibilities from MONUSCO to the United Nations country team through the appointment of joint area coordinators in Bas-Congo, Kasai Occidental and Kasai Oriental provinces, the Mission and its United Nations partners are reviewing current practices to optimize these arrangements.

82. As outlined in my report of 27 February 2013 (S/2013/119), MONUSCO is expanding the United Nations model office concept to further reallocate resources from areas not affected by armed conflict to priority areas in eastern provinces. The United Nations model office will retain a minimum presence to perform key mandated tasks in support of peace consolidation to continue monitoring the situation in areas currently considered as not affected by conflict for any potential risks to stability and the security of the local population.

83. In the meantime, MONUSCO and the United Nations country team will engage with the Government on the potential transfer of tasks to national partners, finalize a comparative advantage and capacity assessment of country team members in order to identify existing capacities and gaps, recommend measures to strengthen these capacities and develop a joint resource mobilization strategy for country team members.

84. In my next report to the Security Council, to be submitted in December 2013, I will present a more detailed road map, including a timetable for the transfer process. I will also include an analysis of risks and possible mitigation strategies.

VI. Observations

85. President Kabila and his Government have taken further steps to fulfil their national commitments under the Peace, Security and Cooperation Framework. This has brought some hope that peace and security can be restored in eastern Democratic Republic of the Congo and the Great Lakes region. I am encouraged by advances made in the launching of a national dialogue aimed at building consensus among a wide range of Congolese actors on how best to take forward critical reforms and policies. I regret, however, the absence of some parties from the political opposition. Advancing reforms is a complex process and requires political will. I encourage all Congolese stakeholders to continue a dialogue in which voices from across the political spectrum are heard. This is necessary to pave the way for a sustainable resolution of the conflict in eastern Democratic Republic of the Congo, prepare the ground for the holding of credible and transparent national and local elections within the constitutional time frame and ensure a resolute focus on sustainable development.

86. These advances have been overshadowed by the renewed violence in eastern Democratic Republic of the Congo as a result of increased activity by armed groups, particularly the attempted offensive by M23 against the Congolese armed forces and the population of Goma, as well as a surge in attacks by ADF in North Kivu. Serious security threats also persist in South Kivu, Katanga and parts of Orientale and Maniema provinces. Grave violations of international humanitarian law continue to be committed in the conflict-affected areas of eastern Democratic Republic of the Congo, including abduction, rape, targeted killing and recruitment of children into armed groups.

87. I strongly condemn the threat posed to the security of the civilian population by the presence of M23 north of Goma, near Kibumba. The military activities of M23 continue to undermine State authority, lead to serious violations of humanitarian law, including the recruitment of children and cause mass displacements, and humanitarian suffering in North Kivu and surrounding areas. I deplore in the strongest terms the killing of 2 MONUSCO peacekeepers and the wounding of 13 others in North Kivu, when they came under fire from M23 while carrying out their mandated duties. The rebellion of M23, along with the presence of other foreign armed groups, is an obstacle to the normalization of relations between the Democratic Republic of the Congo and all its neighbours. I support the call of the International Conference on the Great Lakes Region for a swift conclusion of the Kampala talks. An agreement reached through these talks should contribute to a durable settlement of the conflict. In the meantime, MONUSCO remains committed to taking all necessary actions in accordance with Security Council resolution 2098 (2013) to protect civilians in the eastern Democratic Republic of the Congo.

88. My Special Representative for the Democratic Republic of the Congo and my Special Envoy for the Great Lakes Region of Africa will continue to work hand in hand and in consultation with other special envoys for the region, as well as the African Union, the Southern African Development Community and the International Conference on the Great Lakes Region, with a view to redoubling efforts in support of the peace process. The international community has made significant investments in the Democratic Republic of the Congo and the Great Lakes region. Its continued support is indispensible to move forward on critical reforms.

89. Recent events in Goma have demonstrated that the military component of MONUSCO, including the Intervention Brigade, is effective in supporting a broader political strategy. The support provided by the MONUSCO force to the Congolese armed forces played a crucial role in the protection of civilians in Goma and in camps for internally displaced persons from the imminent physical threat posed by M23 and in prompting the resumption of the Kampala talks. This robust posture is key to the success of our strategy, but it will also be used with caution, given the political and humanitarian implications of the use of force. Although MONUSCO will continue to do everything possible to protect civilians under imminent threat, its military component will not be able to resolve all the problems plaguing eastern Democratic Republic of the Congo. The deployment and use of the Intervention Brigade is only one of many elements needed to address the recurring violence in eastern Democratic Republic of the Congo. In that regard, I encourage all the signatories to the Peace, Security and Cooperation Framework to implement their commitments in good faith.

90. MONUSCO is committed to stepping up its efforts to help the Congolese authorities to conduct essential reforms, in particular in the security sector, restore State authority, better protect civilians and disarm, demobilize and reintegrate former Congolese and foreign combatants. I am encouraged by the progress made in recent months by the Government in developing a draft national programme for the disarmament, demobilization, repatriation, resettlement and reintegration of Congolese and foreign combatants. Steps must now be taken to accelerate its approval and plan for rapid mobilization of resources to support the new programme's implementation, as well as for interim activities. The implementation of other, crucial reforms must be expedited.

91. As requested in Security Council resolution 2098 (2013), the present report outlines a preliminary road map for the transfer of responsibilities to the United Nations country team and the Government of the Democratic Republic of the Congo in areas not affected by conflict, primarily in the western part of the country. It outlines a number of tasks that could be transferred to the country team. On the basis of an assessment of comparative advantages and resource gaps, as well as consultations with the Government of the Democratic Republic of the Congo, I will provide further details on the timeline and identify additional tasks to be transferred in my next report, in December 2013.

92. I would like to thank my Special Representative for the Democratic Republic of the Congo, Martin Kobler, who assumed his functions on 13 August, and all the personnel of MONUSCO and the United Nations country team for their tireless efforts under very challenging circumstances. In particular, I wish to highlight the bravery and the determination of MONUSCO military and civilian personnel operating in what continues to be a very dangerous and unpredictable environment, especially in the conflict-affected areas. I pay particular homage to the Tanzanian contingent, which lost two of its soldiers protecting civilians in Goma on 28 August. My appreciation also goes to the countries contributing troops and police to MONUSCO, to donor countries and to the regional and multilateral organizations and non-governmental organizations that have continued to provide invaluable support to the Democratic Republic of the Congo.